

House Bill 260

By: Representatives Ballinger of the 23rd, Wiedower of the 119th, Rich of the 97th, Ehrhart of the 36th, Gaines of the 117th, and others

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Article 1A of Chapter 7 of Title 16 of the Official Code of Georgia Annotated,
2 relating to home invasion, so as to revise the offense of home invasion in the first degree to
3 incorporate family violence battery; to provide for related matters; to repeal conflicting laws;
4 and for other purposes.

5 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

6 **SECTION 1.**

7 Article 1A of Chapter 7 of Title 16 of the Official Code of Georgia Annotated, relating to
8 home invasion, is amended by revising subsection (b) of Code Section 16-7-5, relating to
9 home invasion in the first and second degree, as follows:

10 "(b)(1) A person commits the offense of home invasion in the first degree when, without
11 authority and with intent to commit a forcible felony therein and while in possession of
12 a deadly weapon or instrument which, when used offensively against a person, is likely
13 to or actually does result in serious bodily injury, he or she enters the dwelling house of
14 another while such dwelling house is occupied by any person with authority to be present
15 therein."

16 (2) A person commits the offense of home invasion in the first degree when, without
17 authority and with intent to commit an act of family violence battery as provided for in
18 subsection (f) of Code Section 16-5-23.1, he or she enters the dwelling house of another
19 while such dwelling house is occupied by any person with authority to be present
20 therein."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.